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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,423	08/03/2001	Varadarajan Srinivasan	N1-P102	7436
30554	7590	04/18/2006	EXAMINER	
SHEMWELL MAHAMEDI LLP 4880 STEVENS CREEK BOULEVARD SUITE 201 SAN JOSE, CA 95129			CHUNG, PHUNG M	
			ART UNIT	PAPER NUMBER
			2138	

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/922,423	Applicant(s) SRINIVASAN ET AL.	
	Examiner Phung My Chung	Art Unit 2138	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2005 and 30 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 and 49-67 is/are pending in the application.
- 4a) Of the above claim(s) 46-48, 68 and 69 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 and 49-67 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-45 and 49-67 in the reply filed on 12/30/05 is acknowledged.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 21, 35, 41, 49, 57 and 64 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,728,124. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims 21, 35, 41, 49, 57 and 64 of the instant invention appeared to contain similar limitations as recited in claim 1 of patent No. 6,728,124 and are word in different language (for example: a CAM array including a plurality of rows of CAM cells and a plurality of validity storage cells; and

an error detection circuit coupled to the CAM array to receive a data word from a selected one of the rows of CAM cells and to receive a corresponding validity value from one of the validity storage cells which are the same as a first CAM array to store a plurality of data words; and

an error detection circuit coupled to the first CAM array to check the plurality of data words for error), and there is no reason why the rejected claims could not have been presented in the patent. Thus, the invention defined in claims 21, 35, 41, 49, 57 and 64 are an obvious variation of the patent defined in the patent claim 1.

Claim Rejections - 35 USC § 112

4. Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 22 is an improper claim because it dependent from claim 23 which occurred after claim 22. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

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were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-2, 11-13, 16, 18-21, 27, 35, 41, 49, 57 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nataraj et al (6,154,384) in view of Wells et al (6,014,755).

As per claims 1-2, Nataraj et al disclose a CAM array including a plurality of CAM cells, a plurality of bit lines and a plurality of comparand lines being adapted to provide as part of a compare operation, a comparand value for comparison with data words stored in the CAM cells. (See col. 2, lines 30-44). Nataraj et al do not specifically disclose an error detection circuit to determine whether the selected data word includes an error. However, Wells et al disclose an error detection circuit to determine whether the selected data word includes an error (col. 9, lines 40-55, col. 7, lines 38-65 and col. 10, lines 31-33). Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to incorporate the error detection circuit as taught by Wells et al into the invention of Nataraj et al to determine whether the selected data word includes an error.

As per claim 11, Nataraj et al further disclose wherein each of the plurality of CAM cells is a ternary CAM cell (col. 1, lines 5-6 and col. 2, lines 30-31).

As per claims 12-13, Nataraj et al further disclose wherein the selected data word is a local mask value and is a CAM word (col. 1, lines 39-41).

As per claims 16, 21, 27, 35, 41, 49, 57 and 64, these claims are rejected under similar rationale as set forth in claims 1-2.

As per claims 18-20, these claims are rejected under similar rationale as set forth in claims.

7. Claims 3-10, 14-15, 17, 22-26, 28-34, 36-40, 42-45, 50-56, 58-63 and 65-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nataraj et al (6,154,384) in view of Wells et al (6,014,755) as applied to claims 1-2, 11-13, 16, 18-21, 27, 35, 41, 49, 57 and 64 above, and further in view of Rusu et al (6,067,656).

As per claims 3-10 and 14-15, the teaching of Nataraj et al and Wells et al have been discussed above. They do not specifically disclose wherein CAM array further includes storage cells to store a plurality of validity values, each validity value indicating whether a respective row of CAM cells contains a valid data word, the circuitry to assert the error signal being coupled to receive one of the validity values that corresponds to the selected data word and including circuitry to prevent assertion of the error signal if the one of the validity values indicates that the selected data word is not a valid data word (col. 5, lines 1 to col. 6, line 3).

As per claims 17, 22-26, 28-34, 36-40, 42-45, 50-56, 58-63 and 65-67, these claims are rejected under similar rationale as set forth in claims 3-10 and 14-15.

8. Applicant's arguments with respect to claims 1-45 and 59-67 have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung My Chung whose telephone number is 571-272-3818. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Phung My Chung
Primary Patent Examiner
Art Unit 2138